

REMARKS

This amendment is submitted with a Request for Continued Examination

The present application and its claims are directed to a device for in process data logging of a parameter during the processing of an object. In particular, the device is attached to the object so that it experiences and records the process parameters experienced by the object and then outputs those process parameter measurements at some later time.

REJECTIONS

In response to the Examiner's rejection of claims 76-78, 80, 86-89, 91-92, 94 and 97-100 are being anticipated by U.S. Patent No. 6,640,134 to Raymond et al ("Raymond"), the rejection of claims 79, 90, 98 and 100 as being obvious over Raymond in view of US Patent No. 6,315,719 to Rode et al. ("Rode") and the rejection of claims 81-85 as being obvious over Raymond in view of US Patent No. 6,172,496 to Karins et al. ("Karins"), Applicant respectfully traverses the rejections since the claims are allowable over the prior art for the reasons set forth below.

Claims 76-78, 80, 86-89, 91-92, 94 and 97-100

Raymond does not anticipate claims 76 and 92 which recite similar features. In particular, Raymond does not disclose or suggest at least the "a portable single unit that may be attached to an object, the portable single unit further comprising a sensor for detecting said environmental parameter and converting to a sensor output; a data logger coupled to said sensor for receiving and logging said sensor output; and a communication module for communicating said sensor output" as set forth in claim 76. Raymond discloses a physiological monitor 108 attached to a patient such as by a chest strap 124 with one or more sensors that capture information about the patient including temperature of the patient, barometric pressure and the movement and inclination of the patient's body. See Col. 5, lines 3-20 and Col. 6, lines 28-42. Raymond also discloses a data logger 106 that may be a data input device such as a personal computer. See Col. 24, lines 19-38. Raymond then explains that it would be desirable for the patient to record events at any time of day with a portable data logger that can be a battery powered handheld data input device such as a Newton computer. See Col. 24, lines 22-27. Even though Raymond recognizes the desirability of a portable data logger, Raymond discloses a

separate portable computer device that must be used in conjunction with the monitor 108. Thus, Raymond does not disclose or, as the above passage makes clear, suggest that the physiological monitor 108 itself has a built-in data logger as Raymond requires a separate computing device that acts as a data logger. Therefore, Raymond does not disclose or suggest the claimed portable single unit that may be attached to an object wherein the portable single unit further comprising a data logger coupled to said sensor for receiving and logging said sensor output. Therefore, Raymond does not anticipate claim 76. Raymond also does not anticipate claim 92 for at least the same reasons. In addition, Raymond does not anticipate claims 77-78, 80, 86-89, 91-92, 94 and 97-100 that depend from claims 76 and 92.

In the final office action mailed May 16, 2006, it is noted that the "Examiner considers that the multi-parametric monitoring device mounted on a part of the body of a patient, with sensors configured in a flexible strap, as is described in Raymond... is a portable unit..." (page 8, lines 8-10.) It is also noted that the Examiner considers that Raymond discloses an input device, such as a personal computer. As noted above, the *separate* input device of Raymond is a Newton Message Pad. Stated differently, the monitoring device of Raymond and the input device of Raymond are *separate* devices, and thus they are not "a portable single unit that may be attached to an object, the portable single unit further comprising ...a data logger coupled to said sensor for receiving and logging said sensor output" as set forth in claim 76. In order to anticipate claim 76, Raymond must disclose each and every element of claim 76. For the reasons set forth above, Raymond does not disclose or suggest "a portable single unit that may be attached to an object, the portable single unit further comprising ...a data logger coupled to said sensor for receiving and logging said sensor output" as set forth in claim 76.

Claims 79, 90, 98 and 100

These claims, which depend from claims 76 and 92 are allowable over Raymond in view of Rode because Rode does not cure the above deficiency of Raymond. In particular, Rode discloses a data logger 12, but the data logger is not part of the portable single unit (See Figure 4) so that claims 79, 90, 98 and 100 are allowable over Raymond in view of Rode for at least the same reasons as claims 76 and 92.

Claims 81-85

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These claims, which depend from claim 76 and 92 are allowable over Raymond in view of Karins because Karins does not cure the above deficiency of Raymond so that claims 81-85 are allowable over Raymond in view of Karins for at least the same reasons as claims 76 and 92.

CONCLUSION

In view of the above, it is respectfully submitted that Claims 76 – 94 and 97 - 100 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

The Commissioner is authorized to charge the RCE and extension fees including any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

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